



## **New Jersey Department of Children and Families Policy Manual**

Manual:	CP&P	Child Protection and Permanency	Effective Date:
Volume:	II	Intake, Investigation and Response	
Chapter:	B	Intake	3-7-2011
Subchapter:	1	Processing Specific Referrals	
Issuance:	2035	Referrals Regarding Children Whose Parents are Incarcerated	

### **Referrals Regarding Children Whose Parents, Caregivers, or Siblings Are Under Police Arrest, Incarcerated, Have a Criminal History, or Will Be Released on Probation or Parole Supervision**

#### **Overview 3-7-2011**

The Department of Children and Families' centralized screening operation, the State Central Registry, and the Division of Child Protection and Permanency are mandated by specific State statutes and/or Memoranda of Understanding or Inter-Agency Affiliation Agreements to work with the Department of Criminal Justice/law enforcement authorities in planning for children whose parents, guardians or other caregivers, household or adult family members, or siblings are under arrest, will be incarcerated for committing crimes (particularly when the crime was against a child), or who will be released from incarceration and placed on parole supervision.

As over-arching principles are common to these individual referral types and their respective governing statutes and inter-agency agreements, these policies are located together, in this one on-line Manual section.

Each policy has its own guidelines and authority for SCR to screen the call, and for CP&P to intervene, if warranted.

Definitions of unique terms are provided within each individual referral type as needed, for clarity.

#### **Alternate Care for Arrestee's Dependent Children**

##### **Purpose 3-7-2011**

To establish policy and procedures for State Central Registry (SCR) and/or CP&P field staff to assist the Division of Criminal Justice (DCJ) - the police, law enforcement authorities - in planning for the immediate, safe care of a child of a person under arrest.

## **Policy 3-7-2011**

The police and other law enforcement officers are required to notify the appropriate municipal, county, or State agency when a person under police arrest (an "arrestee") is the sole caregiver of a minor child. The State Central Registry accepts these requests for CP&P (i.e., a State agency) to provide emergency assistance.

Law enforcement officers make referrals to DCF (SCR), if an arrestee is unable or unwilling to make arrangements for the safe, "alternate care" of his or her dependent child while he or she is detained in police custody.

### **Definition of Terms      3-7-2011**

**"Arrestee"** is a person under police arrest, temporarily detained in police custody, pending bail, arraignment, release.

**"Dependent"** is an arrestee's minor child or another child in his or her direct care or supervision at the time of his or her arrest.

### **Action Taken by SCR      3-7-2011**

The SCR Special Duties Unit creates a Child Welfare Service (CWS) intake in NJ SPIRIT when there is no safe, alternate care provider named for the child, and assigns the CWS referral to the appropriate Local Office (SPRU after hours) for an immediate response. An SCR Screener screens and, when necessary, assigns such referrals when they are called in/received at SCR after hours.

### **Contact Arrestee      3-7-2011**

The assigned CP&P Worker requests permission from the Office of the County Prosecutor to interview the arrestee, in person or by telephone/cell, to discuss:

- The importance of identifying the child's mother, father, legal custodian, maternal and paternal relatives, and/or family friends as placement resource(s) - or persons who can come to the home to be with the child - until the arrestee is released from police custody;
- The feasibility of developing a Safety Protection Plan, to permit the child to remain safe, at home, until the arrestee is released;
- The Division's resource family care program, if use of agency placement resources are warranted;
- The Division's authority to remove and place children, when necessary, to assure their safety and care, including a discussion about emergency removals, court proceedings, and related matters.

**Field Response    3-7-2011**

The assigned Worker takes action, as necessary, to establish contact with the child and secure the child's immediate care, supervision, and safety.

**Relevant NJS Windows and Forms    3-7-2011**

NJS forms:

- DCF Form [1-1](#), Screening Summary
- DCF Form [3-1](#), CWS Assessment Summary

NJS windows:

- CWS Assessment Window
- Person Management Window
- Maintain Case Window

**Related Policy    3-7-2011**

- [CP&P-III-B-5-500](#) , Family Engagement
- [CP&P-III-A-1-100](#) Persons for Whom CP&P Can Provide Service
- [CP&P-II-C-2-700](#), Removal of a Child
- [CP&P-IV-A-4-100](#), Placement Activities